

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

VICTOR GONCHAROFF,

Petitioner,

vs.

BRIAN WILLIAMS, *et al.*,

Respondents.

3:09-cv-00630-LRH-VPC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Petitioner submitted a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, but he failed to submit either a motion for leave to proceed *in forma pauperis* or payment of the \$5.00 filing fee. By order filed December 18, 2009, the Court ordered petitioner to file an application to proceed *in forma pauperis*, or pay the \$5.00 filing fee for this action, within thirty days. (Docket #3). Petitioner was advised that this action would be dismissed unless he complied with the Court's order. (Docket #3). Petitioner has not responded to the order.

Moreover, the Court notes that the order filed December 18, 2009, was returned to the Office of the Clerk as undeliverable. (Docket #4). A petitioner proceeding *pro se* "shall immediately file with the court written notification of any change of address . . . . Failure to comply with this rule may result in dismissal of the action *with prejudice*." Local Rules, Part V, LSR 2-2 (emphasis added). Petitioner has failed to file a notice of address change with this Court, failed to obey the order of

1 December 18, 2009, and failed to otherwise contact the Court to pursue this litigation. As such, the  
2 action is dismissed with prejudice.

3 **IT IS THEREFORE ORDERED** that the Clerk shall **FILE** and docket the petition  
4 (received October 26, 2009).

5 **IT IS FURTHER ORDERED** that this action is **DISMISSED WITH PREJUDICE** for  
6 petitioner's failure to update his address with the Court and failure to obey this Court's order. The  
7 Clerk shall **ENTER JUDGMENT** accordingly.

8 DATED this 26<sup>th</sup> day of March, 2010.



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE